

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JUAN MARTINEZ RIVAS,

Plaintiff,

-against-

ARIEL AUTO COLLISION CORP. and RODSHEL
KHAIMOV,

Defendants.
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Case No.: 2:23-cv-5371 (NJC) (SIL)

**STIPULATION OF
VOLUNTARY DISMISSAL**

WHEREAS, the Court having reviewed the submissions of counsel, and the parties having consented to the entry of this Order; and sufficient cause appearing for the same; after due deliberation; it is

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. The duly executed settlement agreement, which includes, among other things, a waiver and release of the Plaintiff's claims pursuant to the Fair Labor Standards Act of 1938 and New York Labor Law, as amended, has been negotiated in good faith and at arm's length by the parties through their attorneys;
2. The settlement agreement is approved as a fair and reasonable disposition of the Plaintiff's claims;
3. This case, including all claims asserted by the Plaintiff herein, is hereby dismissed with prejudice, without costs to either party as against the other, except as provided in the Settlement Agreement;
4. Each party shall bear its own costs, expenses, and attorneys' fees, except as otherwise expressly agreed in writing by the parties in the Settlement Agreement;

5. The Court shall retain jurisdiction solely for the purposes of enforcing the Agreement approved by the Court.

6. Plaintiff shall have thirty (30) days to move to re-open this case in the event payment is not issued pursuant to the Settlement Agreement.

Dated: Astoria, New York
_____, 2025

/s/ Emanuel Kataev, Esq.

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SO ORDERED